
By: **Senator Jacobs**

Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 25, 2003

CHAPTER _____

1 AN ACT concerning

2 **Harford County - Alcoholic Beverages Deluxe Restaurant License -**
3 **Aberdeen**

4 FOR the purpose of authorizing in Harford County the issuance of Class BDR (deluxe
5 restaurant) beer, wine and liquor licenses in the corporate limits of the
6 Municipality of Aberdeen under certain circumstances; making certain technical
7 changes; and generally relating to alcoholic beverages licenses in Harford
8 County.

9 BY repealing and reenacting, without amendments,
10 Article 2B - Alcoholic Beverages
11 Section 6-201(n)(1)
12 Annotated Code of Maryland
13 (2001 Replacement Volume and 2002 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article 2B - Alcoholic Beverages
16 Section 6-201(n)(6)
17 Annotated Code of Maryland
18 (2001 Replacement Volume and 2002 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

1

Article 2B - Alcoholic Beverages

2 6-201.

3 (n) (1) This subsection applies only in Harford County.

4 (6) (i) There is a special 7-day Class B (on-sale) license known as the
5 Class BDR (deluxe restaurant) beer, wine and liquor license.6 (ii) The license may be issued only in accordance with the
7 provisions of this paragraph.8 (iii) A current holder of any type of Class B alcoholic beverages
9 license issued in Harford County may apply for and be issued a Class BDR (beer, wine
10 and liquor) license only if the restaurant for which the Class BDR license is sought is
11 located within ONE OF the following [area] AREAS of Harford County:12 1. All of election district 1, precincts 1, 3, 4, 5, 6, 10, 16, and
13 1-45, as that election district and those precincts existed on January 1, 2001;14 2. That [the] area of election district 1, precinct 2, as that
15 election district and that precinct existed on January 1, 2001, that is south of a line
16 that runs along the center of Philadelphia Road beginning at the Harford
17 County-Baltimore County boundary line and ending at the intersection with Old
18 Mountain Road; [and]19 3. That area of election district 1, precinct 7, as that election
20 district and that precinct existed on January 1, 2001, that is south of a line that runs
21 along the center of Philadelphia Road beginning at Old Mountain Road and ending at
22 Winter's Run, which is the creek that forms the eastern boundary of precinct 7 of
23 election district 1; OR24 4. THE AREA WITHIN THE CORPORATE LIMITS OF THE
25 MUNICIPALITY OF ABERDEEN.26 (iv) Subject to the provisions of subparagraph (v) of this paragraph,
27 a person that does not currently hold any type of Class B alcoholic beverages license
28 in Harford County may apply for and be issued a maximum of two Class BDR licenses
29 as follows:30 1. A Class BDR license, regardless of the location of the
31 restaurant in Harford County; and32 2. One additional Class BDR license, but only if the license
33 sought is for a restaurant that is located within ONE OF the following [area] AREAS
34 in Harford County:35 A. All of election district 1, precincts 1, 3, 4, 5, 6, 10, 16, and
36 1-45, as that election district and those precincts existed on January 1, 2001;

1 B. That area of election district 1, precinct 2, as that
2 ELECTION district and that precinct existed on January 1, 2001, that is south of a line
3 that runs along the center of Philadelphia Road beginning at the Harford
4 County-Baltimore County line and ending at the intersection with Old Mountain
5 Road; [and]

6 C. That area of election district 1, precinct 7, as that election
7 district and that precinct existed on January 1, 2001, that is south of a line that runs
8 along the center of Philadelphia Road beginning at Old Mountain Road and ending at
9 Winter's Run, which is the creek that forms the eastern boundary of precinct 7 of
10 election district 1; OR

11 D. THE AREA WITHIN THE CORPORATE LIMITS OF THE
12 MUNICIPALITY OF ABERDEEN.

13 (v) A person that has obtained a Class BDR license under
14 subparagraph (iv)1 of this paragraph may not apply for and obtain any other Class B
15 license other than a license obtained in accordance with subparagraph (iv)2 of this
16 paragraph.

17 (vi) This license may only be issued to restaurants that:

18 1. Meet the definition requirements of "restaurant"
19 established under the regulations of the Liquor Control Board;

20 2. Have a cocktail lounge or bar area seating capacity not
21 exceeding 25% of the seating capacity for dining; and

22 3. Subject to subparagraph (vii) of this paragraph, have a
23 minimum capital investment of \$800,000 exclusive of the cost of the land.

24 (vii) For purposes of subparagraph (vi) of this paragraph:

25 1. "Capital investment" means the amount paid to acquire
26 property:

27 A. For a useful life of greater than 1 year; or

28 B. For a permanent improvement or betterment of the
29 property that has a useful life greater than 1 year;

30 2. "Cost of land" includes:

31 A. The purchase price, taxes, and fees incidental to the
32 purchase, including costs related to obtaining appropriate zoning and licensing;

33 B. The costs of site grading, preparation, paving, sidewalks,
34 gutters, curbs, and landscaping; and

35 C. The cost of construction and installation of all utilities.

1 (viii) 1. If the applicant purchases or leases an existing building,
2 the capital investment attributable to the cost of the land and improvements shall be
3 based on the assessed value of the land and improvements in accordance with the
4 records of the State Department of Assessments and Taxation at the time of purchase.

5 2. The capital investment in other than land or building
6 shells shall also be evaluated at the fair market value at the time of purchase.

7 (ix) The annual licensee fee is \$5,000.

8 (x) The hours and days that a holder may exercise the privileges of
9 sale under this license are the same as a Class B (on-sale) beer, wine and liquor
10 license.

11 (xi) A Class BDR license may be issued in addition to any other
12 alcoholic beverages license that the applicant holds.

13 (xii) The Liquor Control Board shall adopt regulations to issue the
14 Class BDR license.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2003.